

Sanders	Smith	Warnock
Schatz	Stabenow	Warren
Schumer	Tester	Whitehouse
Shaheen	Thune	Wyden
Shelby	Van Hollen	
Sinema	Warner	

## NAYS—38

Blackburn	Hagerty	Risch
Boozman	Hawley	Romney
Braun	Hoeben	Rubio
Cassidy	Hyde-Smith	Sasse
Cotton	Inhofe	Scott (FL)
Cramer	Johnson	Scott (SC)
Crapo	Kennedy	Sullivan
Cruz	Lankford	Tillis
Daines	Lee	Toomey
Ernst	Lummis	Tuberville
Fischer	Marshall	Wicker
Graham	Moran	Young
Grassley	Paul	

## NOT VOTING—1

Burr

The PRESIDING OFFICER (Mr. MURPHY). On this vote, the yeas are 61, the nays are 38.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The majority leader.

Mr. SCHUMER. Mr. President, in a few moments, the Senate will pass an extension of the debt limit through early December, avoiding a first-ever, Republican-manufactured default on the national debt.

On Monday morning, I said we needed to pass a bill to address the debt limit by the end of the week, and that is exactly what we did.

Republicans played a dangerous and risky partisan game, and I am glad that their brinkmanship did not work. For the good of America's families, for the good of our economy, Republicans must recognize in the future that they should approach fixing the debt limit in a bipartisan way.

What is needed now is a long-term solution so we don't go through this risky drama every few months, and we hope Republicans will join in enacting a long-term solution to the debt limit in December. We are ready to work with them.

Leader MCCONNELL and Senate Republicans insisted they wanted a solution to the debt ceiling, but said Democrats must raise it alone by going through a drawn-out, convoluted, and risky reconciliation process. That was simply unacceptable to my caucus, and, yesterday, Senate Republicans finally realized that their obstruction was not going to work.

I thank very much my Democratic colleagues for our showing our unity in solving this Republican-manufactured crisis. Despite immense opposition from Leader MCCONNELL and the Members of his conference, our caucus held together and we pulled our country back from the cliff's edge that Republicans tried to push us over.

This is a temporary but necessary and important fix. I appreciate that, at the end of the day, we were able to raise the debt limit without a convoluted and unnecessary reconciliation process that, until today, the Republican leader claimed was the only way to address the debt limit.

Let me say that again. Today's vote is proof positive that the debt limit can be addressed without going through the reconciliation process, just as Democrats have been saying for months.

The solution is for Republicans to either join us in raising the debt limit or stay out of the way and let Democrats address the debt limit ourselves. Those are the two choices, and it is very simple.

Senate Democrats want a long-term solution to the debt limit to make sure financial markets remain stable and our economic recovery stays on track. America's full faith and credit must never be used as a political bargaining chip. I hope my Republican colleagues relent from trying to make it one when we revisit this issue soon.

So now that Republican brinkmanship has relented, Senate Democrats will focus on passing the Build Back Better agenda so we can finally build up ladders of opportunity for people to climb up to the middle class, to help people already in the middle class stay there, to fight climate change, and create the good-paying jobs of tomorrow and rekindle that sunny American optimism that has long been the course of our national identity.

I yield the floor.

The PRESIDING OFFICER. Cloture having been invoked, the motion to refer and the amendments pending thereto fall.

## AMENDMENT WITHDRAWN

Under the previous order, amendment No. 3848 is withdrawn and all postcloture time is expired.

## VOTE ON MOTION TO CONCUR

The question occurs on agreeing to the motion to concur in the House amendment to S. 1301 with amendment No. 3847.

The yeas and nays were previously ordered.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN) and the Senator from North Carolina (Mr. BURR).

The result was announced—yeas 50, nays 48, as follows:

[Rollcall Vote No. 412 Leg.]

## YEAS—50

Baldwin	Hickenlooper	Reed
Bennet	Hirono	Rosen
Blumenthal	Kaine	Sanders
Booker	Kelly	Schatz
Brown	King	Schumer
Cantwell	Klobuchar	Shaheen
Cardin	Leahy	Sinema
Carper	Lujan	Smith
Casey	Manchin	Stabenow
Coons	Markey	Tester
Cortez Masto	Menendez	Van Hollen
Duckworth	Merkley	Warner
Durbin	Murphy	Warnock
Feinstein	Murray	Warren
Gillibrand	Ossoff	Whitehouse
Hassan	Padilla	Wyden
Heinrich	Peters	

## NAYS—48

Barrasso	Boozman	Capito
Blunt	Braun	Cassidy

Collins	Hyde-Smith	Romney
Cornyn	Inhofe	Rounds
Cotton	Johnson	Rubio
Cramer	Kennedy	Sasse
Crapo	Lankford	Scott (FL)
Cruz	Lee	Scott (SC)
Daines	Lummis	Shelby
Ernst	Marshall	Sullivan
Fischer	McConnell	Thune
Graham	Moran	Tillis
Grassley	Murkowski	Toomey
Hagerty	Paul	Tuberville
Hawley	Portman	Wicker
Hoeben	Risch	Young

## NOT VOTING—2

Blackburn Burr

The motion was agreed to.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

## CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 259, Gustavo A. Gelpi, of Puerto Rico, to be United States Circuit Judge for the First Circuit.

Charles E. Schumer, Sheldon Whitehouse, Christopher Murphy, Gary C. Peters, Michael F. Bennet, Robert P. Casey, Jr., Benjamin L. Cardin, Patty Murray, Catherine Cortez Masto, Tammy Duckworth, Patrick J. Leahy, Robert Menendez, Bernard Sanders, Mark R. Warner, Tina Smith, Richard J. Durbin, Ben Ray Lujan.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of Gustavo A. Gelpi, of Puerto Rico, to be United States Circuit Judge for the First Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ), is necessarily absent.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mrs. BLACKBURN), the Senator from North Carolina (Mr. BURR), the Senator from Arkansas (Mr. COTTON), the Senator from Tennessee (Mr. HAGERTY), the Senator from Wisconsin (Mr. JOHNSON), and the Senator from Kansas (Mr. MARSHALL).

Further, if present and voting, the Senator from Kansas (Mr. MARSHALL) would have voted "nay".

(Mr. OSSOFF assumed the Chair.)

The PRESIDING OFFICER (Ms. BALDWIN). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 54, nays 39, as follows:

[Rollcall Vote No. 413 Ex.]

## YEAS—54

Baldwin	Heinrich	Reed
Bennet	Hickenlooper	Rosen
Blumenthal	Hirono	Rubio
Booker	Kaine	Sanders
Brown	Kelly	Schatz
Cantwell	King	Schumer
Cardin	Klobuchar	Scott (FL)
Carper	Leahy	Shaheen
Casey	Lujan	Sinema
Collins	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	Merkley	Tester
Duckworth	Murkowski	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Warnock
Gillibrand	Ossoff	Warren
Graham	Padilla	Whitehouse
Hassan	Peters	Wyden

## NAYS—39

Barrasso	Grassley	Risch
Blunt	Hawley	Romney
Boozman	Hoeben	Rounds
Braun	Hyde-Smith	Sasse
Capito	Inhofe	Scott (SC)
Cassidy	Kennedy	Shelby
Cornyn	Lankford	Sullivan
Cramer	Lee	Thune
Crapo	Lummis	Tillis
Cruz	McConnell	Toomey
Daines	Moran	Tuberville
Ernst	Paul	Wicker
Fischer	Portman	Young

## NOT VOTING—7

Blackburn	Hagerty	Menendez
Burr	Johnson	
Cotton	Marshall	

The PRESIDING OFFICER. On this vote, the yeas are 54, the nays are 39, and the motion is agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Cloture having been invoked, the Senate will proceed to executive session to resume consideration of the Gelpi nomination.

The majority leader.

## TRIBUTE TO MEGAN MERCER

Mr. SCHUMER. Now, Madam President, while most of the attention in this Chamber falls on the elected Members, today I want to recognize one of the many people who work behind the scenes, who quite literally makes the Senate come to life, and someone we wish a fond, happy farewell.

Megan Mercer, thank you for all you have done over the past few years in your role as senior floor assistant. We see you scurrying around, making sure everything works, and we so much appreciate it. Day after day, you have made this body work, and we wish you well on the road ahead.

## LEGISLATIVE SESSION

Mr. SCHUMER. Madam President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. SCHUMER. Madam President, I move to proceed to executive session to consider Calendar No. 364.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia.

## CLOTURE MOTION

Mr. SCHUMER. I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Executive Calendar No. 364, Patricia Tolliver Giles, of Virginia, to be United States District Judge for the Eastern District of Virginia.

Mark R. Warner, Charles E. Schumer, Raphael Warnock, Thomas R. Carper, Tim Kaine, Jon Ossoff, Brian Schatz, Angus S. King, Jr., Benjamin L. Cardin, Tina Smith, Christopher Murphy, Tammy Duckworth, Sheldon Whitehouse, Kirsten E. Gillibrand, Christopher A. Coons, Patty Murray, Jack Reed.

Mr. SCHUMER. Finally, I ask unanimous consent that the mandatory quorum call for the cloture motion filed October 7 be waived and that the cloture motion ripen at 11:30 a.m. on Thursday, October 19.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The Senator from New Mexico.

## EXECUTIVE CALENDAR

Mr. LUJÁN. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 346, Xochitl Torres Small, of New Mexico, to be Under Secretary of Agriculture for Rural Development and that the Senate vote on the nomination without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The legislative clerk read the nomination of Xochitl Torres Small, of New Mexico, to be Under Secretary of Agriculture for Rural Development.

Thereupon, the Senate proceeded to consider the nomination.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Small nomination?

The nomination was confirmed.

Mr. LUJÁN. I ask unanimous consent that the motion to reconsider be con-

sidered made and laid upon the table, all without intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

## EXECUTIVE CALENDAR

Mr. LUJÁN. Madam President, I ask unanimous consent that the Senate consider the following nominations en bloc: Calendar Nos. 356 and 357; that the Senate vote on the nominations en bloc without intervening action or debate; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nominations of Alexander Hoehn-Saric, of Maryland, to be Chairman of the Consumer Product Safety Commission; and Alexander Hoehn-Saric, of Maryland, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2020?

The nominations were confirmed en bloc.

## LEGISLATIVE SESSION

## MORNING BUSINESS

Mr. LUJÁN. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

## THE CALENDAR

Mr. LUJÁN. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of the following bills en bloc: Calendar No. 130, S. 233; Calendar No. 131, S. 1226; Calendar No. 132, S. 2205; Calendar No. 133, S. 2126.

The PRESIDING OFFICER. Is there objection to proceeding en bloc?

There being no objection, the Senate proceeded to consider the bills en bloc.

Mr. LUJÁN. Madam President, I ask unanimous consent that the bills be considered read a third time and passed en bloc and that the motions to reconsider be considered made and laid upon the table en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.